

Item No. **13h****AGENDA ITEM MEMORADUM****Town Manager's Office**

Department

Bud Bentley

Department Director

COMMISSION MEETING DATE (*) - 7:00 PM	Deadline to Town Clerk
<input checked="" type="checkbox"/> March 13, 2012	

*Subject to Change

- | | | | |
|---|---|---------------------------------------|---------------------------------------|
| <input type="checkbox"/> Presentation | <input type="checkbox"/> Reports | <input type="checkbox"/> Consent | <input type="checkbox"/> Ordinance |
| <input checked="" type="checkbox"/> Resolution | <input type="checkbox"/> Quasi-Judicial | <input type="checkbox"/> Old Business | <input type="checkbox"/> New Business |

☒ **FY2011 DESIGNATED HIGH PRIORITY ITEM - PRIORITY**
TOPIC: Efficient Governmental Service

SUBJECT TITLE: Resolution Setting Parking Time Limits.

EXPLANATION: The Commission approved Ordinance 2012-02 at its February 28, 2012 meeting, which amended Section 19-25 to remove the parking time limit in about 10 different parking areas in Town and authorized those parking limits to be set by Resolution.

Since the parking limits were removed from the Code of Ordinances, a Resolution is needed to establish the parking time limits. The parking time limits in **Exhibit 1** are the same as they were in the Code. Should the Commission decide to change the parking time limit on Bougainville Drive and Poinciana Avenue, **Exhibit 2** reflects the change to one-hour.

Requested Change in the Parking Time Limit on Bougainville Drive and Poinciana Avenue

At the January 10, 2012 Commission meeting, Item 17.b was a discussion of changing the time limit for the parking on Bougainville Drive and Poinciana Avenue north of Commercial Boulevard. The Commission consensus was to change the process from setting the parking time limits by ordinance to set the limits by Resolution and to discuss the appropriate time limit on Bougainville Drive when the Commission considers the actual Resolution setting the time limits.

The 26 single space meters on Bougainville Drive and Poinciana Avenue immediately north of Commercial Boulevard were limited to two-hour parking limit from 7:00 am to 7:00 pm each day (Section 19-25). There are also three (3) 30-minute parking spaces. Because we use single space meters at this location and they can't be programmed with different time limits, the two-hour parking limit is always in effect.

Several businesses representatives advised that this is a popular location for beach goers to park, thus precluding customer parking for the area businesses, and have asked the Town to change the street meters on these two streets to one-hour limit with some additional 30-minute parking spaces.



Reasons to make the change to one hour parking are:

1. The A1A Parking Lot is available nearby for beach and other long term parking. The A1A parking rate is less expensive per hour than the street meters on Bougainvilla and there is no time limit. In addition, the A1A Parking Lot has been converted to pay stations thus giving users the added advantage of using bills, credit cards or Pay By Phone.
2. The SunTrust property, which is immediately west of Poinciana, provides public parking for a single entrance fee, albeit more

The counter position is that people dining in restaurants often are in the restaurant for more than an hour, and shoppers visiting multiple stores may not finish their shopping in one hour.

The Commission asked staff to get more input from local businesses on the issue of time limits. During the week of February 27th, we provided the attached notice (Exhibit 3) to all of the businesses within a one block radius of the parking meters telling them about the requested change and the date of the Commission meeting at which it would be considered. We invited them to attend to voice their opinion or email me with their comments or recommendations. We have received the attached two responses (also in Exhibit 3), both of which express an objection to the one-hour limit. We will advise you at the meeting if we receive any additional input.

If the Commission decides to change the parking time limit on Bougainvilla and Poinciana, we suggest the following text, which is included in Exhibit 2.

1. One-hour parking restrictions shall be in effect Monday through Sunday, inclusive, from the hours of 7:00 a.m. to 7:00 p.m. for each vehicle parked in the following locations:
 - A. Bougainvilla: east and west side, north of Commercial for approximately 200 feet.
 - B. Poinciana: east side, north of Commercial for approximately 200 feet.

Two versions of Resolution 2012-17 are attached. Exhibit 1 simple restores the parking time limits that were just repealed from the Code. Exhibit 2 is the same as Exhibit 1, except the parking limit on Bougainvilla Drive and Poinciana Avenue has been changed to one-hour as described above.

RECOMMENDATION: Staff recommends the Commission maintain the current time limits on the meters at Bougainvilla/Poinciana and adopt Version 1 of Resolution 2012-17.

- EXHIBITS:
1. Resolution 2012-17 Version 1 (same as the parking limits repealed in the Code)
 2. Resolution 2012-17 Version 2 (one-hour limit on Bougainvilla/Poinciana)
 3. Notice to businesses & responses

Reviewed by Town Attorney
☒ Yes ☐ No

Town Manager Initials CS

(Town Attorney reviewed the Resolution only)

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Exhibit 1

RESOLUTION 2012-17

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, ESTABLISHING TIME LIMITS FOR PUBLIC PARKING IN THE TOWN; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 19-25 "Time-restricted parking" of the Town of Lauderdale-By-The-Sea ("Town") Code of Ordinances, the Town Commission may establish by resolution specific time limits for public parking within the Town; and

WHEREAS, the Town Commission desires to adopt specific time limits for public parking within the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE BY THE SEA, FLORIDA, THAT:

Section 1. Recitals. The foregoing "Whereas" clauses are hereby ratified and confirmed by the Town Commission, and incorporated herein.

Section 2. Time Limits. The Town Commission of the Town of Lauderdale-By-The-Sea, Florida, hereby adopts the following time limits for public parking in the Town:

1. Two-hour parking restrictions shall be in effect Monday through Sunday, inclusive, from the hours of 7:00 a.m. to 7:00 p.m. for each vehicle parked in the following locations:
 - A. Basin: south side, from Seagrape to East Tradewinds.
 - B. Bougainvillea Drive: next to the Friedt Family Park.
 - C. Bougainvillea: east and west side, north of Commercial for approximately 200 feet.
 - D. East Tradewinds: east and west side, from Commercial south to Basin.
 - E. East Tradewinds: east and west side, from Commercial to Harbor.
 - F. Poinciana: east side, north of Commercial for approximately 200 feet.
 - G. Seagrape: west side, from Commercial to Basin.

Exhibit 1

RESOLUTION 2012-17

- H. West Tradewinds: east side, from Commercial south to Harbor.
- 2. Three-hour parking restrictions shall be in effect Monday through Sunday, inclusive, from the hours of 5:00 a.m. to 5:00 p.m. for each vehicle parked in the following locations:
 - A. Commercial Boulevard east of Ocean Drive.
 - B. El Mar Drive, immediately north and south of Commercial Boulevard.
 - C. Ocean Drive between the alleys north and south of Commercial Boulevard.
- 3. Metered parking east of El Mar Drive is regulated as follows:
 - A. Parking in metered spaces on Commercial Boulevard east of El Mar Drive is allowed at all times.
 - B. For all other metered spaces east of El Mar Drive, the following regulations apply:
 - a. On Sunday through Thursday between the hours of 9:00 p.m. and 5:00 a.m., parking is prohibited except for approved hardship permits.
 - b. On Friday and Saturdays between the hours of 11:00 p.m. and 5:00 a.m. parking is prohibited, except for approved hardship permits.
 - c. When specifically approved for the relevant geographic location, hardship permits pursuant to this Chapter, may park east of El Mar Drive between the hours of 9:00 p.m. and 9:00 a.m.
- 4. For parking in metered parking spaces located along Commercial Boulevard west of Seagrape Drive on Mondays through Fridays, two-hour parking restrictions shall be in effect Monday through Friday, with no time limit on parking on Saturdays and Sundays.

Section 3. **Severability.** If any clause, section, or other part of this Resolution shall be held by any Court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this Resolution.

Section 4. **Conflict.** All Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Exhibit 1

RESOLUTION 2012-17

Section 5. **Effective Date.** This Resolution shall become effective upon its passage and adoption.

PASSED AND ADOPTED this ____ day of _____, 2012.

MAYOR ROSEANN MINNET

ATTEST

June White, Town Clerk

APPROVED AS TO FORM:

Susan L. Trovarthen, Town Attorney

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Exhibit 2

RESOLUTION 2012-17

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, ESTABLISHING TIME LIMITS FOR PUBLIC PARKING IN THE TOWN; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 19-25 “Time-restricted parking” of the Town of Lauderdale-By-The-Sea (“Town”) Code of Ordinances, the Town Commission may establish by resolution specific time limits for public parking within the Town; and

WHEREAS, the Town Commission desires to adopt specific time limits for public parking within the Town.

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1. One-hour parking restrictions shall be in effect Monday through Sunday, inclusive, from the hours of 7:00 a.m. to 7:00 p.m. for each vehicle parked in the following locations:
 - A. Bougainvillea: east and west side, north of Commercial for approximately 200 feet.
 - B. Poinciana: east side, north of Commercial for approximately 200 feet.
2. Two-hour parking restrictions shall be in effect Monday through Sunday, inclusive, from the hours of 7:00 a.m. to 7:00 p.m. for each vehicle parked in the following locations:
 - A. Basin: south side, from Seagrape to East Tradewinds.
 - B. Bougainvillea Drive: next to the Friedt Family Park.
 - C. East Tradewinds: east and west side, from Commercial south to Basin.

Exhibit 2

RESOLUTION 2012-17

- D. East Tradewinds: east and west side, from Commercial to Harbor.
 - E. Seagrape: west side, from Commercial to Basin.
 - F. West Tradewinds: east side, from Commercial south to Harbor.
3. Three-hour parking restrictions shall be in effect Monday through Sunday, inclusive, from the hours of 5:00 a.m. to 5:00 p.m. for each vehicle parked in the following locations:
- A. Commercial Boulevard east of Ocean Drive.
 - B. El Mar Drive, immediately north and south of Commercial Boulevard.
 - C. Ocean Drive between the alleys north and south of Commercial Boulevard.
4. Metered parking east of El Mar Drive is regulated as follows:
- A. Parking in metered spaces on Commercial Boulevard east of El Mar Drive is allowed at all times.
 - B. For all other metered spaces east of El Mar Drive, the following regulations apply:
 - a. On Sunday through Thursday between the hours of 9:00 p.m. and 5:00 a.m., parking is prohibited except for approved hardship permits.
 - b. On Friday and Saturdays between the hours of 11:00 p.m. and 5:00 a.m. parking is prohibited, except for approved hardship permits.
 - c. When specifically approved for the relevant geographic location, hardship permits pursuant to this Chapter, may park east of El Mar Drive between the hours of 9:00 p.m. and 9:00 a.m.
5. For parking in metered parking spaces located along Commercial Boulevard west of Seagrape Drive on Mondays through Fridays, two-hour parking restrictions shall be in effect Monday through Friday, with no time limit on parking on Saturdays and Sundays.

Section 3. Severability. If any clause, section, or other part of this Resolution shall be held by any Court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this Resolution.

Section 4. Conflict. All Resolutions or parts of Resolutions in conflict herewith are

Exhibit 2

RESOLUTION 2012-17

hereby repealed to the extent of such conflict.

Section 5. **Effective Date.** This Resolution shall become effective upon its passage and adoption.

PASSED AND ADOPTED this ____ day of _____, 2012.

MAYOR ROSEANN MINNET

ATTEST

June White, Town Clerk

APPROVED AS TO FORM:

Susan L. Trevarthen, Town Attorney

File: T:\0 Agenda\3-13-12 Commission\Parking\Exh 2 Resolution 2012-17 Parking time limits.docx

Notice of Proposed Change in Parking Time Limit

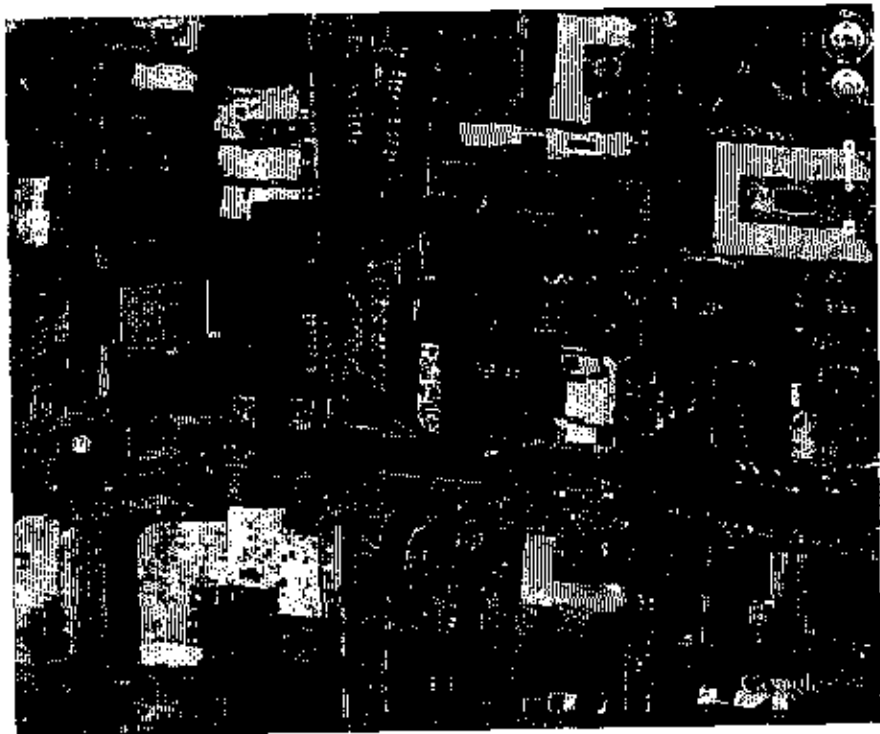
There are 29 parking spaces on Bougainvillea Drive and Poinciana Street just north of Commercial Boulevard that have a two (2) hour time limit.

At the **March 13th** Town Commission meeting (7:00 pm), the Commission will consider a request to change the 2-hour limit to 1-hour. The existing three 30 minute parking spaces are not proposed to be changed.

We want you to be aware of this proposed change. You may appear at the February 28th Commission to provide your input or you may send an email to ATM@LBTS-fl.gov. A copy of all emails will be provided to the Commission.

Thank you,

Bud Bentley
Assistant Town Manager
4501 Ocean Drive
Lauderdale-By-The-Sea, FL 33308
Office: 954-640-4212



Bud Bentley

Subject: FW: Parking by Delicseas

From: Glenn McCormick
Sent: Wednesday, March 07, 2012 11:25 AM
To: Bud Bentley
Subject: Parking by Delicseas

Ms. Mary Lou Price called and expressed dissatisfaction with the one hour parking in front of Delicseas, the magazine store and other shops in the area on Bougavilla. She felt the time limit was too short and the fee was outrageous. She did not think she should have to get up during lunch to put more money in the meter after just one hour. She stated she is going to conduct her own survey of business owners in the area to see if they approve of the shorter time limit and report it to the Mayor.

I did explain to her that regular parking was available in the A1A lot next to the area in question. Her telephone number is 954-943-3730 if you would like to speak with her.

Glenn S. McCormick
Deputy Town Clerk
Lauderdale By The Sea
(954) 640-4201
glennm@lbts-fl.gov

Bud Bentley

From: kenfred57@comcast.net
Sent: Wednesday, March 07, 2012 2:41 PM
To: Assistant Town Manager
Subject: parking change

Hello,

Ken Merrifield and I, owners of Merrifield Gallery, 211 Commercial, are opposed to any change in the parking limits at Bougainvillea and Poinciana. In our opinion, 1 hour is too short a time to eat a meal or shop without having to return to feed a meter. We have already had people leave our store because their meter was running out.

Thank you , Fred Berger